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2
3 **BEFORE THE PUBLIC DISCLOSURE COMMISSION**
4 **OF THE STATE OF WASHINGTON**

5 IN RE THE MATTER OF ENFORCEMENT
6 ACTION AGAINST

PDC CASE NOS.
01-203 & 01-204

7 Amalgamated Transit Union
8 Local 587

ORDER OF DISMISSAL

9 Respondent
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11

12 **BRIEF FACTUAL BACKGROUND**

13 On March 26, 2001, a "45-Day Notice of Violation" complaint letter was submitted to the
14 Office of the Attorney General and the Office of the King County Prosecutor by Monte Benham
15 of Permanent Offense against King County, King County Department of Transportation, King
16 County Transit (King County entities), and Amalgamated Transit Union Local 587 (ATU Local
17 587). The complaint alleged a special assessment was withheld from the paychecks of
18 employees of King County to fight a state initiative, without their written authorization, in
19 violation of RCW 42.17.680. The Attorney General's Office referred the matter to the Public
20 Disclosure Commission for investigation and appropriate disposition. The King County
21 Prosecuting Attorney's Office deferred to the judgment of the Commission and Attorney
22 General's Office in this matter. On March 29, 2001, a complaint was received from David J.
23 Cornelson, an employee of King County, also alleging that a special assessment to fight the same
24 initiative had been deducted from his paycheck without his written authorization. PDC Staff
25 conducted an investigation on both complaints.
26

1 PDC Staff submitted to the Commission a memorandum dated May 15, 2001
2 recommending that the Commission dismiss the complaint against ATU Local 587 because the
3 union is not the employer in this case and is not responsible for the disbursement of funds in
4 payment of its members' wages or salaries. In this case, RCW 42.17.680(3) does not apply to
5 ATU Local 587.

6 At its regular meeting in the PDC offices in Olympia, Washington on May 22, 2001, the
7 Commission considered the Staff recommendation. Following review of Staff's
8 recommendation, the Commission directed the following:

9 **ORDER**

10 By a vote of 5-0, the Commission found that ATU Local 587 did not violate RCW
11 42.17.680 as alleged because the union is not the employer in this case and is not responsible for
12 the disbursement of funds in payment of wages or salaries to King County workers. The portion
13 of the complaints alleging a violation of RCW 42.17 by Amalgamated Transit Union Local 587
14 is hereby DISMISSED.

15
16 (Signed June 26, 2001)

17 _____
18 Vicki Rippie

Date signed

19 *Copies to be provided to:*

20
21 Neil Gorrell, Attorney General's Office
22 Linda Dalton, Attorney General's Office
23 Peter Ruffatto, King County Prosecuting Attorney's Office
24 Howard Schneiderman, King County Prosecuting Attorney's Office
25 Sally Tenney, King County Prosecuting Attorney's Office
26 Monte Benham, Permanent Offense
David J. Cornelson